

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Application No.	10/774,890
Filing Date	February 9, 2004
First Named Inventor	Fitzgerald
Group Art Unit	2818
Examiner Name	Tran, Mai Huong C.
Attorney Docket No.	ASC-049C1

This is a request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on ____.
- b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.
- c. ☒ Preliminary Amendment enclosed.
- d. ☐ Affidavit(s)/Declaration(s) enclosed.
- e. ☒ Supplemental Information Disclosure Statement (SIDS) enclosed.
- i. ☒ PTO-1449
- ii. ☒ Copies of SIDS Citations (C135-C165)
- f. ☐ Other _____

2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Small entity status
- i. ☐ was established in the prior nonprovisional application.
- ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. ☐ A Petition and Fee for Extension of Time for ____ months up to and including ____ is enclosed herewith.
- c. ☒ A check in the amount of \$ 1290.00 is enclosed.
- d. ☐ The Commissioner is hereby authorized to charge the required fee(s) to Deposit Account No. 07-1700.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 07-1700.

02/22/2006 CCHAU1 00000050 10774890

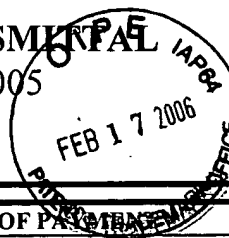
01 FC:1801
02 FC:1202790.00 OP
500.00 OP

3. MISCELLANEOUS

- a. ☒ Return Receipt Postcard enclosed.
b. ☐ Other _____.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
<p>Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414</p>	<p>Respectfully submitted,</p> <p>Date: <u>Feb. 17, 2006</u> <u>Natasha C. Us</u> Reg. No. 44,381 Tel. No.: (617) 570-1806 Fax No.: (617) 523-1231</p> <p>Natasha C. Us Attorney for the Applicant Goodwin Procter LLP Exchange Place Boston, MA 02109</p>

FEE TRANSMITTAL
FY 2005



Complete if Known

Application Serial Number	10/774,890
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METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 07-1700.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

FEE CALCULATION

1. FILING/SEARCH/EXAM/SIZE FEES

Large Entity

Fee (\$)	Fee Description	Fee Paid
300	Utility filing fee	
500	Utility search fee	
200	Utility exam fee	
250	Utility size fee (each add'l 50 pgs. over 100)	
200	Design filing fee	
100	Design search fee	
130	Design exam fee	
250	Design size fee (each add'l 50 pgs. over 100)	

	Number Filed	Number Extra	Rate	Amount
Total Claims	- 20 =		x \$ 50.00 =	

Independent Claims	- 3 =		x \$200.00 =	
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☐ Multiple Dependent Claim(s), if any \$360.00 = TOTAL:

SMALL ENTITY DISCOUNT:
SUBTOTAL (1) (\$)

2. AMENDMENT CLAIM FEES

	Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	57	- 47 =	10	x \$ 50.00 =	500
Indep.	1	- 3 =	0	x \$200.00 =	0
<input type="checkbox"/> First Presentation of Multiple Dep. Claim + \$360.00 =					
TOTAL:					(\$ 500)
SMALL ENTITY DISCOUNT:					(\$)
SUBTOTAL (2)					(\$ 500)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1020	510	Extension for reply within third month	
1590	795	Extension for reply within fourth month	
2160	1080	Extension for reply within fifth month	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1000	500	Request for oral hearing	
400	400	Petitions to the Commissioner (Gp. I)	
200	200	Petitions to the Commissioner (Gp. II)	
130	130	Petitions to the Commissioner (Gp. III)	
180	180	Submission of Information Disclosure Statement	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
130	65	Submission of Terminal Disclaimer	
Other fee (Specify)		Request for Continued Examination (RCE) fee	\$790.00
Other fee (Specify)			

SUBTOTAL (3) \$790.00

SUBTOTAL (1)
SUBTOTAL (2) \$500.00
SUBTOTAL (3) \$790.00

TOTAL (\$ 1290.00)

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Direct all correspondence to:
 Patent Administrator
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 Boston, MA 02109
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 Fax No.: (617) 523-1231
 Customer No. 051414

SIGNATURE BLOCK

Date: Feb. 17, 2006
 Reg. No.: 44,381
 Tel. No.: (617) 570-1806
 Fax No.: (617) 523-1231

Respectfully submitted,

 Natasha C. Us
 Attorney for the Applicants
 Goodwin Procter LLP
 Exchange Place
 Boston, MA 02109